

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION **REFOEVED**  
2006 OCT 16 A 9:58

UNITED STATES OF AMERICA ) DEBRA P. HACKETT, CLK  
                               ) U.S. DISTRICT COURT  
                               ) MIDDLE DISTRICT ALA  
V. ) CASE NO. 2:06-cr-018-W  
                               )  
SHERRY DIANE PETTIS )

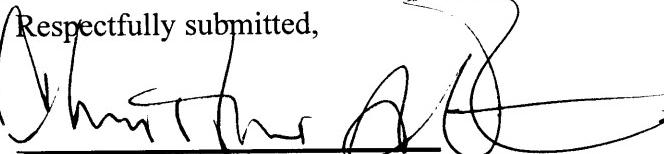
**MOTION TO DISMISS DUE TO COMPOSITION OF THE JURY VENIRE**

COMES NOW the Defendant, SHERRY DIANE PETTIS, by and through undersigned counsel, Donnie W. Bethel, and moves this court to dismiss this Indictment due to improper composition of the Grand and Petit jury venires, and the under representation of African-Americans on said venires.

Said compensation violates the Jury Selection and Service Act, 18 USC §1861 et seq, and the Defendant's Sixth and Fifth Amendments rights to trial by an impartial jury representing a fair cross section of the community and the guarantee of due process.

This Motion is supported by the attached Affidavit. Defendant requests that a hearing on this motion be conducted, if necessary, after the trial in this matter.

Dated this 16<sup>th</sup> day of October 2006.

Respectfully submitted,  


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**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
  )  
  )  
**V.**                                    )     **CR. No.: 2:06cr018-W**  
  )  
**SHERRY DIANE PETTIS**         )

**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2006, I hand delivered the foregoing to the Clerk of Court and:

A. Clark Morris, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,



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